

MR. TOLSON

April 27, 1951

L. B. NICHOLS

PRESS INQUIRIES  
DIRECTOR'S TESTIMONY  
SEX DEVIATES

In the Director's testimony before the House Subcommittee on Appropriations, the Director said:

"I might say that since April 1, 1950, to date, we have made 406 identifications of individuals who were arrested as sex deviates who were employees of the Federal Government. The information has been supplied to the respective agencies."

Prior to this specific statement, the Director had been talking about the Congressional inquiry in April, 1950, and the plan worked out whereby all persons arrested for sex crimes of any type were to be fingerprinted and their fingerprints sent to the FBI.

The following is the statement appearing in the Budget material which was the basis for the Director's statement:

"20. - SEX DEVIATES IN GOVERNMENT SERVICE

C. - RESULTS

(a) - From April 1, 1950 through January 31,

1951 a total of 406 identifications  
of individuals arrested was made  
with records containing either a  
Civil Service, Loyalty, or Military  
fingerprint card.

-- THE 406 IDENTIFICATIONS  
REPRESENTED CASES INVOLV-  
ING ARRESTS FOR SEX OFFENSES  
COMMITTED PRINCIPALLY WITHIN  
THE METROPOLITAN AREA OF  
WASHINGTON, D. C."

APR 27 1951

Tolson \_\_\_\_\_  
Ladd \_\_\_\_\_  
Clegg \_\_\_\_\_  
Glavin \_\_\_\_\_  
Nichols \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tracy \_\_\_\_\_  
Harbo \_\_\_\_\_  
Belmont \_\_\_\_\_  
Mohr \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Nease \_\_\_\_\_  
Gandy \_\_\_\_\_

CC: Mr. Glavin  
CC: Mr. Tracy

LBN:mb

Memo to Mr. Tolson from Mr. Nichols

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The Appropriations Hearings were given to the press yesterday for release today. Late yesterday afternoon we began to get inquiries and there were specific inquiries on the figure 406 identifications from the Times-Herald and the Star. The Times-Herald pointed out that the arrest of 406 sex offenders since April proved the McCarthy charges and wanted to verify that these arrests occurred since then.

Mr. McGuire took the matter up with me and I told him to get all the facts before responding to the inquiries and let me know. Mr. McGuire first called Mr. Gunsser in Mr. Glavin's Office. Gunsser told McGuire the figures came from the Identification Division and Mr. Gunsser subsequently made available the budget material which is quoted above along with a memorandum dated November 20th from Mr. R. C. Anderson to Mr. Tracy pointing out that from April 1 through October 30, 1950, 255 identifications of individuals arrested for sex offenses were made with records containing either a Civil Service, Loyalty or Military fingerprint card already in file. Mr. Gunsser stated that later he called the Identification Division and asked that the figure 255 be brought up to date and was given the figure 406 over the telephone. This was not confirmed by memorandum and the memorandum of November 20, 1950, does not set forth full details as to when the arrests took place.

Mr. McGuire then called Mr. Tracy. Mr. Tracy was not in and he talked to Quinn Tamm. Mr. Quinn Tamm told Mr. McGuire that he was not familiar with the specific figure 406 but that the sex deviate program was initiated in April following receipt of information from Roy Flick of the Metropolitan Police Department. Mr. Tamm suggested that Mr. McGuire talk to Supervisor A. B. Fipp in the Security Division who is at the present time handling material of this type.

Mr. McGuire called Fipp who is new on the desk and is not familiar with the figure 406 but got out his old ticklers showing the details of checks made on information furnished by Flick. These did not total 406.

Mr. McGuire then talked to Mr. Tracy. Mr. Tracy advised Mr. McGuire of the background of the sex deviate program starting with the information secured from Roy Flick and pointed out that the first report was prepared on April 14, 1950, that a total of 363 identifications against fingerprint cards in the Identification Division had been made of Government employees over a period of 1947 to 1950 and he felt the difference between the figure 363 and 406 could be occasioned by arrests subsequent to April, 1950.



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The tabulation shows that from April, 1950, through January, 1951, 234 persons arrested for sex offenses were identified with fingerprint cards reflecting that the person arrested was a civilian employee of the Government and in 133 instances the fingerprint card in file reflected that the person arrested was in the Army or Air Force and in 41 instances the fingerprint cards in file reflected the person was in the Navy or Marines, making a total of 408.

From February, 1951, through April 26 the total persons arrested for sex offenses, whose fingerprint cards are identified with the fingerprint cards of Government employees in file, is now 508. It should be pointed out that the fingerprint card in file reflecting the individual was connected with the Government in some instances goes back several years and there is no way of telling whether the person arrested is still in the Government service.

As an illustration, Mr. Tracy advised me over the phone that [redacted] arrested for indecent assault since April of 1950, was identified with a fingerprint received from Civil Service dated May 3, 1943, reflecting [redacted] employment as a laborer with PBA. Also, [redacted] arrested since April, 1950, on the charge of pervert, was identified with an old set of fingerprints received from the Army which were taken on May 23, 1942.

b6  
b7C

In connection with the handling of the Sex Deviate Program in the Identification Division, upon receipt of a fingerprint card reflecting an arrest for a sex offense from the Metropolitan area of Washington, D. C., a search of the name of the individual arrested is made through the card index pertaining to both the criminal and the noncriminal files. The fingerprint card is then searched against the fingerprints in the criminal file but is not searched against the fingerprints in the noncriminal file.

#### CONCLUSIONS:

(1) The responsibility for my furnishing the erroneous information to the Director rose out of a series of confused speculations. Mr. McGuire got the call from the press. He first called the Chief Clerk's Office. Mr. Gunsser stated he got the information from Ident and would send up what he had.

Mr. McGuire then called Quinn Tamm who stated that while he was not familiar with the background and had not heard the figure previously, the Sex Deviate Program had started with the information received from Roy Blick and that possibly this figure was a result of information furnished by Blick.



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Mr. McGuire told me of the background at which time I advised the Director and you of the inquiry as to whether the figure 406 included persons arrested prior to April and that the figure 406 included the Blick figures and the arrests had occurred since 1947. The Director instructed that we answer the press inquiries by stating the facts.

Mr. McGuire did call the reporter from the Times-Herald and answered the inquiry along these lines.

Immediately thereafter, Mr. Tracy called Mr. McGuire and told him he had talked to Agent Anderson at his home and Anderson had told Tracy that the figure 406 was arrived at by counting the arrest records of individuals arrested for sex offenses since April of 1950 which were identified with fingerprint cards in the files of the Identification Division reflecting that the person arrested had been fingerprinted by Civil Service for a government job or was identified against a loyalty print or a military print.

When Mr. McGuire received this information, I immediately told him to call the Times-Herald reporter back and state that it would be necessary to check further and that for the time being it would not be necessary to make any further comment and suggest that he use the statement as it appeared in the Director's testimony.

The Times-Herald reporter was agreeable; however, he asked the following additional questions:

- (1) Where were the arrests made?
- (2) Could we furnish him a breakdown of the Government agencies concerned?

In connection with these additional inquiries, unless advised to the contrary, we will advise the Times-Herald reporter that most of the arrests occurred in Washington and that it would not be possible to make a breakdown nor would it be possible to get a breakdown of the Government departments wherein the persons were employed.

Mr. Tracy was advised last evening that it was necessary to secure a complete explanation and documentation of the figure 406 and also an explanation for the misinformation that was furnished Mr. McGuire and which I, in turn, furnished the Director and you and which Mr. McGuire, in turn, furnished the Times-Herald reporter but, fortunately, the reporter was friendly and we were able to withdraw the statement without any harm to the Bureau. The explanations of Mr. Tracy and Mr. Tamm are attached.



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Mr. McGuire then called Fipp, the supervisor in the Security Division, who tried to be helpful but is new and did not know the background. I do not feel that Fipp is in any way to blame.

Mr. McGuire then called Mr. Tracy who <sup>says he</sup> speculated that the figure 406 included the sex deviates from the Blick report and those subsequently arrested. As a result I feel that Mr. McGuire was justified in coming to the conclusion that the 406 figure included the Blick figures. I think that neither Mr. Quinn Tamm nor Mr. Tracy should have speculated on this matter.

Mr. Tracy feels that Mr. Quinn Tamm is not responsible nor is Mr. Fipp responsible since he, Mr. Tracy, was the one who last talked to Mr. McGuire. I cannot agree with Mr. Tracy's view on this. Also, Quinn Tamm should have undertaken to secure the correct facts and not passed <sup>the buck to Fipp</sup>. When we later learned from Mr. Anderson that Mr. Gunsser in the Chief Clerk's Office had called to bring the figure of 255 sex deviates set forth in the memorandum of November 20, 1950, up to date and was furnished the up-to-date figure of 406 telephonically, we learned then for the first time of the significance of the memorandum of November 20 and its relationship to the figure of 406. This memorandum was furnished by the Identification Division to the Chief Clerk's Office, together with the criminal arrest records of the 255 individuals. I think Mr. Gunsser should have advised Mr. McGuire of this fact.

(2) I think the Identification Division should have been more explicit in furnishing information to the Chief Clerk's Office for inclusion in the Budget material so that there would be an unmistakable understanding as to exactly what the figure 406 meant.

Mr. Tracy does not agree with this conclusion since the memorandum of November 20, 1950 states: "From April 1 through October 30, 255 identifications of individuals arrested were made with records containing either a Civil Service, loyalty or military fingerprint card."

In this connection, I desire to point out that the Blick reports had been injected into the discussion and there is nothing in the memorandum to avoid the conclusion that the Blick figures were or were not included in this and I think the Identification Division memorandum of November 20 was deficient in that it does not specifically set forth that the records and the files in the Identification Division used for the purpose of identifying individuals arrested, in many instances, were several years old and there was no affirmative way of showing that the individual was still in the Government service.



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Mr. Tracy disagrees because the individual arrest records were attached to the memorandum of November 20, 1950, showing the actual dates of the arrests and of the prior Government employment for the information of the Chief Clerk's Office. These individual records were returned to the Identification Division under date of January 4, 1951, from the Chief Clerk's Office. They are presently being held in the Identification Division.

This observation by Mr. Tracy may apply to the Chief Clerk's Office; however, the fact remains that the memorandum should be complete in itself so that anybody reading it would get the full picture without the necessity of checking through arrest records.

(3) The figure of 406 was used in the Budget data but the tabulation prepared last night shows a total of 408. Mr. Tracy states that this discrepancy could be explained by the fact that two copies of the records may have been en route from the Typing Section, where they were prepared, and were received on the same day but subsequent to the time the figure 406 was furnished on the telephone by Anderson to Gunsser.

I think that in the future the Chief Clerk's Office should require a memorandum confirming information furnished on the telephone and fully supporting and setting forth exactly how figures are arrived at in detail if they are to be used in the Budget testimony by the Director.

(4) So far as my office is concerned, hereafter I have issued instructions that when questions come up pertaining to information coming from some other Division, my office is not to take the responsibility for tabulation but is to require a specific answer from the Division concerned.

(5) While we have not had additional press inquiries on the figure 406, any others should be answered with a straight no comment and there should be no elaboration.

(6) I think the Identification Division should begin an immediate tabulation of each of the 406 cases, showing when the person was arrested and the nature and date of the fingerprint record in file reflecting Government employment as it is entirely possible that we may have to meet this issue in greater detail later on. The Identification Division has already started a tabulation by individual Government agencies.